

House Committee on Energy, Utilities and Telecommunications
Testimony of Citizens' Utility Ratepayer Board
Written Only Testimony
Proponent of House Bill 2040
January 30, 2025

Chairman Delperdang and members of the House Committee on Energy, Utilities and Telecommunications, thank you for this opportunity to testify regarding House Bill (HB) 2040. My name is Joseph Astrab. I am the Consumer Counsel for the Citizens' Utility Ratepayer Board (CURB). CURB is the advocate for residential and small commercial ratepayers before the Kansas Corporation Commission (Commission) and the Kansas Legislature. My testimony reflects the interests of these utility ratepayer classes regarding HB 2040.

HB 2040 amends K.S.A. 66-1,178, which establishes the requirement and procedure for an electric utility to obtain a line siting permit to construct electric transmission lines. Currently, K.S.A. 66-1,178 requires an electric utility to file an application that details the proposed location for the lines and impacted landowners. The Commission, with the assistance of its technical staff (Staff), is required to issue a final order on such an application within 120 days after filing. HB 2040 increases this timeframe to 180 days and makes small typographical changes.

Although CURB does not intervene in line siting cases regarding the final location of transmission lines, CURB does participate in dockets involving certification of outside entities seeking to build electric transmission lines in Kansas. CURB is well-aware of the complex and extensive process underlying the decision-making behind selection of a company to construct transmission lines. CURB is a proponent of HB 2040 because it allows more time for the Commission, its Staff, and affected stakeholders and landowners to review the application and public comments. K.S.A. 66-1,178 provides a full gamut of procedural steps, including the use of evidentiary hearings, to develop a record. Of note, K.S.A. 66-1,178 requires the Commission to hold a public hearing in one of the counties through which the line is proposed to traverse within 90 days after the application is filed. Currently, that leaves 30 days to review comments from the hearing, draft responses for the Commission's consideration, hold any necessary hearings and post-hearing briefings, and issue an order.

To give some more perspective on this schedule, CURB would point Committee members to a recent line siting case, Docket No. 23-NETE-585-STG (accessible at <https://estar.kcc.ks.gov/estar/portal/kscg/page/docket-docs/PSC/DocketDetails.aspx?DocketId=536d9685-b11f-4984-8c6f-fcc1bf076ab4>). The Docket received 137 documents, many of which were pre-written testimonies and responses to questions asked at the public hearing. The docket contained numerous filings between parties to resolve procedural and substantive issues, including an evidentiary hearing and briefs. While CURB believes that the Commission efficiently conducted the docket and issued an order based on a well-supported record, allowing for additional time to review line siting applications will serve to benefit all parties involved. Regulators and affected landowners can utilize the time to provide

deeper analyses and accommodate schedules to allow for more input. Utility companies can spend more time listening to landowner questions and providing information and address concerns from those customers. The regulatory process on this important issue can benefit greatly with more time to analyze landowner concerns and questions after the public hearing date. Furthermore, extending the deadline for an order from 120 days to 180 days allows for better management of schedules in other dockets competing for limited Commission time. HB 2040 will allow regulators more time to provide higher quality analyses and increase confidence that affected parties and entities will have time to learn of the issues and participate in these dockets.

Lastly, CURB does not perceive that HB 2040 will have any significant adverse effect upon the general residential and small commercial classes of ratepayers that CURB represents.

For the reasons stated above, CURB is a proponent of HB 2040.